

<b>DEPARTMENTAL REGULATION</b>		Number: 1400-001
SUBJECT: Information Policies	DATE: June 8, 1988	
	OPI: Office of Information, Office of Governmental and Public Affairs	

1 PURPOSE

This regulation establishes policies and procedures for USDA and its agencies concerning information activities in printed, audio-visual, graphic, electronic, and other media forms.

2 ACTIVITIES

a Information Objectives. USDA provides useful information to the people of the United States, assuring that relevant USDA decision making processes are open to the effective expression of informed public viewpoints. To achieve that objective, USDA reports through the various media and sometimes directly to farmers, consumers, business interests, special groups, and the general public regarding USDA's program, policies, and activities. The information activities that arise from these programs are intended to provide basic information for the various publics served by the USDA.

b General. The Assistant Secretary for Governmental and Public Affairs determines policy for all USDA communication activities and provides coordination leadership, and centralized operational direction for Departmental and agency information activities so that all material effectively supports USDA policies and programs. Certain delegations are made to the agency information directors, as necessary to formulate develop, and carry out agency information policies, programs, plans, procedures, standards, and activities. (See 7 CFR 2.29, Delegations to the Assistant Secretary for Governmental and Public Affairs.)

c Availability of Information. USDA makes the information on its activities available to representatives of the media, to organizations, to individuals, and to Members of Congress under an "open door" policy, as authorized by law.

d Types of Media. USDA uses all media and communication methods to report on its work to reach the greatest number of farmers, consumers, and other groups.

e Organization. USDA information activities are structured to expedite close coordination of information preparation and release with the programs or activities of USDA and its agencies. OI, as a single designated coordinating office with its own budget, reports directly to the Assistant Secretary for Governmental and Public Affairs.

### 3 ABBREVIATIONS

CFR - Code of Federal Regulations

FOIA - Freedom of Information Act

OGPA - Office of Governmental and Public Affairs

OI - Office of Information

OMB - Office of Management and Budget

USC - United States Code

USDA - United States Department of Agriculture

### 4 REPORTS

FOIA Report to Congress

Secretary's Annual Report, part 1, to the President and Congress

Secretary's Annual Report, part 2, Yearbook of Agriculture Annual Audiovisual Report to National Audiovisual Center

OMB Circular A-3-Annual Report to OMB on Publications

### 5 DEFINITIONS

Information work, as implemented by USDA, means reporting, in any medium, information regarding the research, education, service, regulatory activities, or other programs of USDA. This information work includes:

a Reporting generally the work carried on with public funds.

b Providing results of research and related programs.

c Making available background material needed for participation in authorized programs.

d Producing instructions, explanations, background, and findings for educational programs, particularly those used by land grant institutions.

e Describing measures necessary to the curtailment of diseases of plants and animals and outbreaks of insects and other pests.

f Obtaining, where useful, public comment as an aid to decision making in formulating programs and policies.

## 6 RESPONSIBILITIES

a The Director, OI. The Director, OI is responsible for directing all information activities of USDA and its agencies in Washington, D.C., and in the field.

(1) Agency, and OI Cooperation. The Director, OI, is responsible for directing the efficient coordination of the total information work of the Department. The information staffs of the agencies cooperate in developing, issuing, and distributing information materials.

(2) Advisory. OI advises the Assistant Secretary for Governmental and Public Affairs, the Secretary, and USDA General Officers in planning, developing, and executing Department policies and programs and works with the various agencies and their administrators and other appropriate officers on applying information policies and practices to programs and activities, including information policies as they relate to FOIA (5 USC 552 and its amendments).

(3) Organizational. OI develops standards for USDA information work and directs the review and appraisal of the organization and effectiveness of information activities.

(4) Coordination. OI coordinates the information activities of the various USDA agencies, both in Washington, D.C. and in the field. OI coordinates all information matters of USDA with other Federal and State agencies, and plans and produces all types of information products. In collaboration with the Extension Service, it works with the various States in cooperative publishing and integrates USDA publications with the needs and publications programs of the land grant universities. OI also prepares the FOIA annual report to the Congress.

(5) Review. OI has authority for final review of all information materials prepared by the various agencies and sets forth procedures and delegations to agency information offices on the extent of their review, especially with regard to agency field operations. Included in these activities are the planning production and distribution of (1) publications and other printed materials; (2) visual information such as video and film materials, exhibits, graphic materials and still photography; (3) releases for press, radio, television, and magazines; (4) publications and related information products disseminated electronically; and (5) books and articles that are prepared unofficially for outside publication but related to USDA programs and policies.

(6) Policies and Procedures. OI determines policies and procedures for publications, graphic materials, television and radio materials, video tapes, motion pictures, still photographs and slides, exhibits, press services, electronic dissemination of publications and printing.

(7) Liaison. OI cooperates with and secures the cooperation of Government agencies, private industry, and other organizations producing information that is helpful in the execution of USDA's programs. OI is the designated USDA representative to the Joint Committee on Printing of the Congress, the Government Printing Office, and the National Audiovisual Center. OI also represents USDA on information matters with OMB, other Federal agencies, and State agencies, and keeps USDA agencies informed of policies and procedures issued by those offices.

b USDA Agencies

(1) Role of Information Director. Each agency shall establish a close relationship between the agency administrator and the agency information director to ensure that all information functions and considerations are incorporated into early planning of policies and programs, and implementation of decisions to enhance their success. Each agency information director shall report directly to his/her respective administrator when possible.

(2) Clearance and Approval of Visual/Audiovisual Positions.

(a) Prior Clearance. Agencies shall obtain written prior approval from the Director, OI, on promotions and new appointments, at any grade level, in the visual and audiovisual areas before initiating action to promote or make a new appointment. Positions include those classified as specialists, technicians, or officers in radio, television, illustration, exhibits, design, film and video work, photography, and visual information.

(b) Agency Clearances Within Agencies. Agencies may require field offices and other divisions of the agencies to obtain approval from their agency information director on all plans to:

(1) Establish or abolish information positions of any kind;

(2) Fill information positions or promote information personnel.

(3) Approval of Information Campaigns. All public information, education, or awareness campaigns using more than one communication media involving

expenditures of over \$10,000 must be approved in writing by the Director, Office of Information (OI). In seeking approval from the Director, OI, the agency must list proposed costs, campaign message, target, audience, and what kind of information techniques will be used to reach the target audience.

## 7 COOPERATION WITH OTHER GROUPS

USDA cooperates with the land-grant institutions in the development and preparation of information materials they may use or adapt for their use. USDA also cooperates with the State Departments of Agriculture, nonprofit special-interest groups, and private industries that service agriculture and consumers.

## 8 FIELD INFORMATION

a Release and Clearance of Field Information. USDA agency field officers, subject to regulations, are authorized to issue information about the programs and services for which they are responsible, particularly in their geographical areas.

b Field Mailing Lists. Field mailing lists, like those in Washington, D.C., will be circularized and revised at least once every 12 months.

c Reports on Information Needs. USDA employees, especially field employees, should report to their agency information director significant developments, problems, and special needs. If the situation involves two or more agencies, relates to a subject that is sensitive to the USDA, or has national interest and value, the Director, OI, should be notified by agency information directors so the Director, OI, may shape USDA information programs to meet the needs of agricultural and other groups.

## 9 COMPENSATION FOR ADDRESSES AND APPEARANCES

Employees may not solicit or accept payment for books, speaking engagements, or radio, television, and other information activities performed as part of their official duties. (See 7 CFR 0.735-13 (h),(i).) Employees may accept payment for books, speaking engagements, and appearances performed on their own time in accordance with 7 CFR 0.735- 13(g).

## 10 ENDORSEMENTS, COMMERCIAL REFERENCES, AND USES OF BRAND NAMES BY EMPLOYEES OF IN DEPARTMENTAL INFORMATION

a Policy. It is USDA policy to avoid endorsement of any commercially named product either directly or indirectly. In general, this policy prohibits reference to specific commercial enterprises or to proprietary or brand names of commercial products in interviews and addresses, in printed or duplicated material issued by USDA or its agencies, in information to be used for publication, or in visual or sound materials. To carry out its broad responsibilities, USDA, independently or cooperatively, often works with commercial products and cooperates with commercial enterprises. On occasion, mention of specific commercial enterprises or reference to commercial products by proprietary or brand names may be in the public interest or impractical to remove or avoid.

(1) Employee Endorsement. Employees will not allow the use of their names as endorser of commercial enterprises or products (see 7 CFR 0.735-13(a)(6)).

(2) Justification of references. If reference(s) must be made to specific commercial enterprises or to proprietary or brand names of commercial products, the reference(s) must be certified as being in the public interest by the agency information director.

b Guidelines for Approvals. In considering whether specific reference to commercial enterprises or to proprietary or brand names of commercial products is in the public interest, the agency information director will be guided by the following policy considerations:

(1) Limiting Considerations. These factors will be considered:

(a) The benefit that may accrue to the public.

(b) The relation of the cooperative commercial enterprise(s) to the work being reported in the publication or announcement, including the contribution made to the cooperative undertaking and the agreement under which the work was conducted.

(c) The necessary relationship of the specific apparatus, equipment, or material to the total research project.

(d) An as essential part of reporting research, the availability of similar types of commercial apparatus, equipment or materials tested and the information at hand on their performance and effectiveness.

(e) The need to associate a product with the scientific name of specific material, including the length and familiarity of such name and the need for distinguishing the material accurately.

(2) Examples of Permissible References. Reference to commercial enterprises or products by name will be permissible in such instances as:

(a) When scientists, reporting the results of scientific experiments, must specify precisely the equipment and materials used so that other scientists may verify the results, and to do so requires mention of trade names or manufacturers.

(b) When chemical names of compounds are so complicated that using the technical terms would be relatively useless to farmers and other members of the general public.

(c) When only one chemical has been found useful for a certain purpose and it is marketed and commonly known by a trade name.

(d) When a commercial institution has cooperated with the USDA in conducting research, and reference is made to the cooperating institution, particularly when it has made an important contribution to the end result.

(3) References in Published Materials. When the names of cooperating commercial enterprises are used, the cooperative nature of the work on which a publication or announcement is based will be appropriately explained. When proprietary or brand names are used, there will be an accompanying statement indicating that the names are necessary to report factually on available data, that USDA neither guarantees nor warrants the standard of the product, and that the use of the name by USDA implies no approval of the product to the exclusion of others that may also be suitable.

(4) Limitations to be Called to Cooperator's Attention. Before any agency enters into a cooperative agreement with a commercial enterprise that involves publishing by the USDA, the provisions of this section will be brought to the attention of the cooperator, and the cooperator will indicate, by formal memorandum of understanding or in terms of the cooperative agreement, that its provisions are acceptable.

## 11 RELEASING LISTS OF NAMES OF MANUFACTURERS, FARMERS, ETC.

In no event will employees rent or sell or provide at their own initiative any lists of names and addresses maintained by a USDA agency. Requests for such lists will be handled in accordance with the FOIA (5 USC 552) and USDA's FOIA regulations (7 CFR 1.1 and the following sections). These requests must be granted unless the list is covered by one or more of the exemptions set forth in 5 USC 552(b).

## 12 TRAINING OF INFORMATION PERSONNEL

To promote the career development of information personnel and to encourage high professional standards of performance, agency information directors are encouraged to establish appropriate training for information personnel.